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8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10	SAN FRANCISCO DIVISION		
11	,) CR-12-0665 RS	
12	UNITED STATES OF AMERICA,		
13	Plaintiff,) STIPULATION AND [PROPOSED] ORDER) MODIFYING BRIEFING SCHEDULE AND	
14	vs.	HEARING DATE RE DAUBERT MOTION AND EXCLUDING TIME UNDER 18 U.S.C.	
15	DANIEL SANTIAGO,) §§3161(h)(7)(A)_AND (h)(7)(B)(iv) OF THE SPEEDY TRIAL ACT	
16	Defendant.		
17)	
18	The United States of America, by its attorneys, Melinda Haag, United States		
19	Attorney for the Northern District of California, and Special Assistant United States		
20	Attorneys ("AUSAs") Marc Price Wolf and Arianna Berg, and defendant DANIEL		
21	SANTIAGO, by his attorney, Peter Goodman, hereby submit this Stipulation and		
22	[Proposed] Order requesting that the briefing schedule and the hearing date on the		
23	defense Daubert motion set on October 18, 2013, be modified as provided herein.		
24	The previous schedule required the defendant to file his opening brief on October		
25	28, 2013, the government to file its opposition on November 25, 2013, and the		
26	defendant to file his reply on December 6, 2013, with a hearing on the motion to		
27	occur on December 17, 2013. Preparatio	n of the motion has taken considerably	

28 longer than the defense anticipated and the parties are agreed that a modification

of the previous schedule is appropriate. Therefore, the parties stipulate and agree that the briefing schedule and the hearing date be modified to provide that the defense shall file its opening brief on November 22, 2013, the government will file its opposition on December 20, 2013, the defense will file its reply on December 30, 2013, and a hearing will occur on January 10, 2014, at 2:00 p.m. The defendant is out of custody residing at a halfway house. Given his release from custody, the defendant is agreeable to a further exclusion of time pursuant to 18 U.S.C. §§3161(h)(7)(A)_and (h)(7)(B)(iv) of the Speedy Trial Act from the date of this Stipulation until the date all pretrial motions in his case are decided. SO STIPULATED DATED: November 13, 2013 MELINDA HAAG United States Attorney MELINDA HAAG United States Attorney SO STIPULATED DATED: November 13, 2013 MELINDA HAAG United States Attorney SO STIPULATED DATED: November 13, 2013 MELINDA HAAG United States Attorney SO STIPULATED DATED: November 13, 2013 MELINDA HAAG United States Attorney SO STIPULATED DATED: November 13, 2013			
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MELINDA HAAG United States Attorney MELINDA HAAG United States Attorney By: /s/ MARC PRICE WOLF Special Assistant United States Attorney SO STIPULATED DATED: November 13, 2013 /s/ PETER GOODMAN Attorney for Defendant DANIEL SANTIAGO /// /// /// /// /// /// ///	10	SO STIPULATED	
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United States Attorney By: Isl MARC PRICE WOLF Special Assistant United States Attorney SO STIPULATED DATED: November 13, 2013 PETER GOODMAN Attorney for Defendant DANIEL SANTIAGO III III III III III III III	12		
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PETER GOODMAN Attorney for Defendant DANIEL SANTIAGO III			
Attorney for Defendant DANIEL SANTIAGO 24 25			
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25 26 27		DANIEL SANTIAGO	
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ORDER MODIFYING BRIEFING SCHEDULE AND HEARING DATE FOR DAUBERT MOTION AND EXCLUDING TIME PURSUANT TO 18 U.S.C. §§3161(h)(7)(A) and (h)(7)(B)(iv) OF THE SPEEDY TRIAL ACT

Based on the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED that the briefing schedule on the defense *Daubert* motion and the hearing date on said motion previously set on October 18, , 2013, be modified to provide that:

1) the defense will file its opening brief on November 22, 2013; 2) the government will file its opposition on December 20, 2013; 3) the defense will file its reply on December 30, 2013; and 4) the hearing on the motion will be held on January 10, 2014, at 2:00 p.m.

Based on the stipulation of the parties and good cause appearing, the Court finds that time should properly be excluded pursuant to 18 U.S.C. §§3161(h)(7)(A) and (B)(iv) of the Speedy Trial Act from the date of this Order until all pretrial motions in this case are decided in the interests of justice and to ensure effective assistance of counsel.

DATED: 11/14/13

RICHARD SEEBORG

UNITED STATES DISTRICT COURT JUDGE